

# PUBLIC NOTICE

**PERMIT APPLICATION:** NRS08.155

**APPLICANT:** Tommy Austin  
Valley Land Company, LLC  
243 Signal Mountain Road,  
Signal Office Plaza, Suite A  
Chattanooga, TN 37405-1930  
423-266-7708

**LOCATION:** unnamed tributary to Isbill Branch and Isbill Branch, tributary to Black Creek in Chattanooga, Hamilton County N 35.019541°, W -85.389494°

## **WATERSHED DESCRIPTION:**

**Watershed:** Tennessee River (Chattanooga Area)

**Hydrologic Unit Code:** 060200010504

**Stream Name:** unnamed tributary to Isbill Branch and Isbill Branch

**Stream Segment ID:** TN06020001003\_0300, Black Creek from Lookout Creek to headwaters

**Designated Uses:**

fish and aquatic life	fully supporting
irrigation	fully supporting
livestock watering and wildlife	fully supporting
recreation	fully supporting

**Assessment Date:** 10/23/2007

**Surrounding Land Use:** Land use in the vicinity of the unnamed tributary of Isbill Branch, is mixed undeveloped, commercial, and residential.

**Exceptional Tennessee Waters:** no

**PROJECT DESCRIPTION:** The proposed work consists of encapsulating 460 feet of the unnamed tributary to Isbill Branch. The purpose of the proposed encapsulation is to allow fill for a contiguous building pad for future commercial development over the area presently occupied by the tributary. This site has previously been filled around the existing tributary to match existing road grades on Cummings Highway (Highway 41).

An unnamed tributary of Isbill Branch emanates from an existing 24-inch diameter culvert which daylight at the base of the valley on the east side of the site. This stream flows for approximately 600 feet before joining Isbill Branch. The project proposes to encapsulate approximately 460 linear feet of this stream with a 24-inch diameter corrugated metal pipe. Once encapsulated, the existing valley is proposed to be filled at a maximum 2:1 slope to the surrounding site grades.

The restoration of a portion of Isbill Branch and the preservation of another segment of Isbill Branch is being proposed as compensatory mitigation. The applicant proposes to remove an existing culvert within the last 100 feet of the unnamed tributary of Isbill Branch, which is 30 feet long, for replacement credit at a 1:1 ratio. The remaining 130

feet of this section is proposed to be restored to generate credit at a 1.5:1 ratio. The preservation of 700 feet of the southern portion of Isbill Branch within the subject property boundaries is proposed at a 10:1 ratio. The remaining 243.33 feet of impact is proposed to be mitigated with the restoration (at a 1.5:1 ratio) of 425 feet of Isbill Branch. The restoration of Isbill Branch is proposed to begin at the point at which groundwater is intercepted and continue downstream for at least 425 feet. A 50 foot riparian buffer would be planted on each side of this section of stream. The portion of the unnamed tributary of Isbill branch to be restored would be restricted on the right bank by the concrete barrier walls; therefore, the left buffer would be extended to compensate for those limitations.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity, including the proposed compensatory mitigation, would result in *de-minimis* degradation to water quality.

This public notice may be viewed on the internet at:  
<http://www.state.tn.us/environment/wpc/ppo/arap>.

**PERMIT COORDINATOR:** Robert Baker

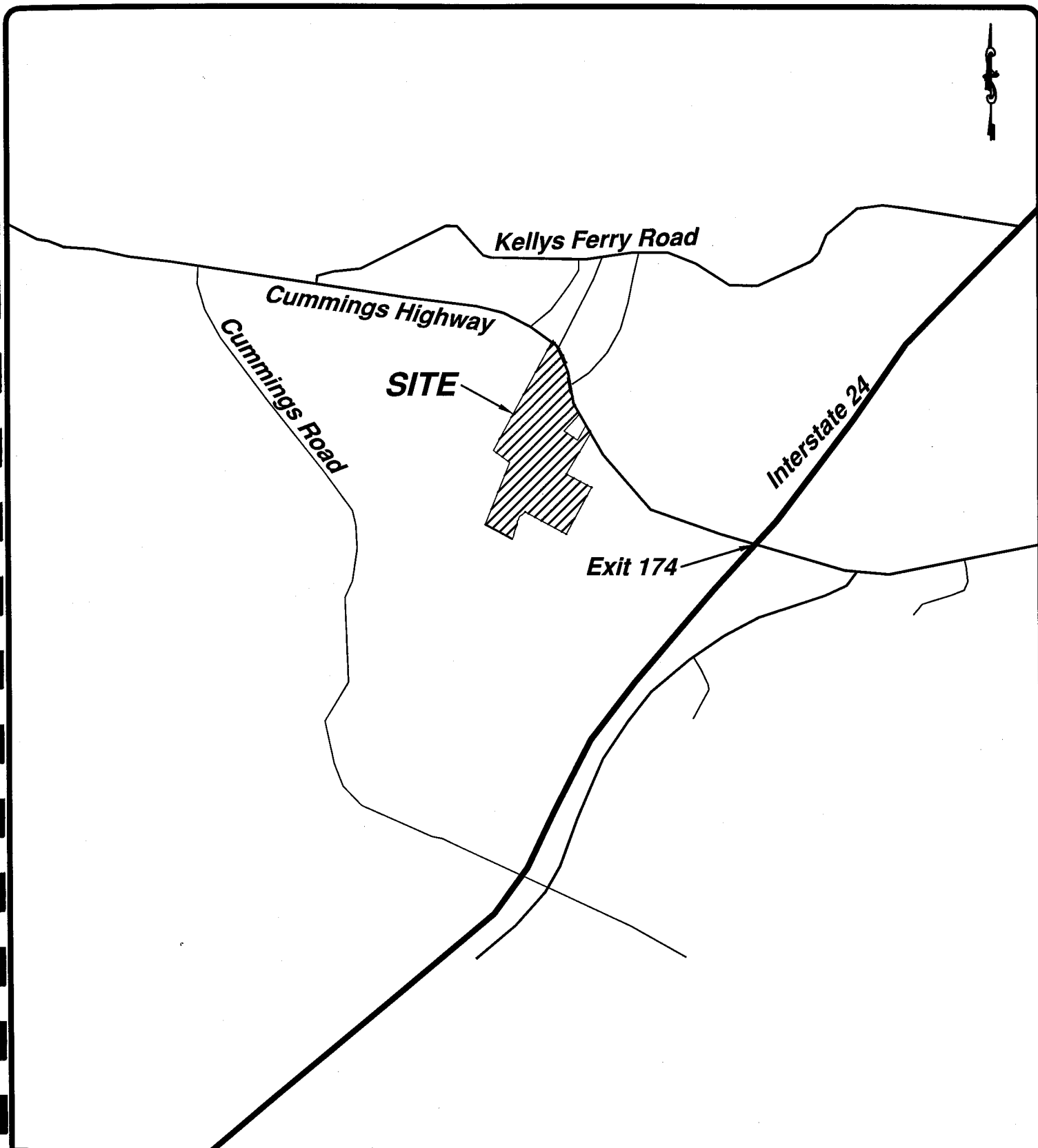
No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments would become part of the record and would be considered in the final decision. The applicant's name and permit number should be referenced.

Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department would hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation  
Division of Water Pollution Control, Natural Resources Section  
7th Floor L & C Annex  
401 Church Street  
Nashville, TN 37243

In deciding whether to issue or deny a permit, the department would consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination would be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.



**ENGINEERING  
SERVICES, INC.**

COMPLETE ENGINEERING & DESIGN SERVICES

651 E. 4th Street, Suite 407  
Chattanooga, TN 37403

PH: (423) 266-3501 FAX: (423) 266-3286

*Proposed Site Grading  
Individual ARAP  
Valley Land Company, LLC  
243 Signal Mtn. Rd. Suite A  
Chattanooga, TN 37405  
(423) 266-7708*

DATE: 05/29/08

DRAWN BY: MLJ

JOB NO: 08159

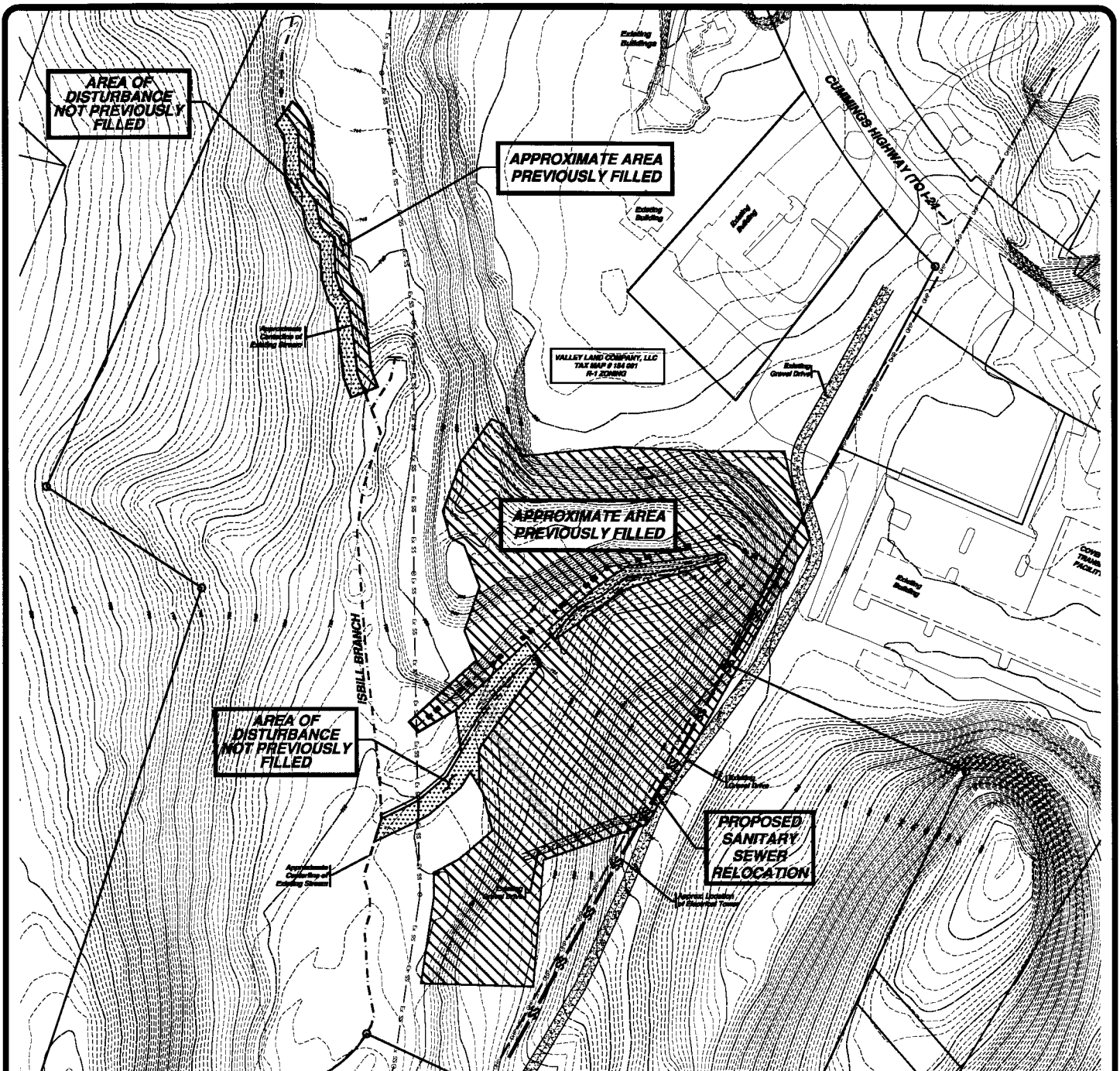
**SITE LOCATION  
MAP**

SCALE: n.t.s.

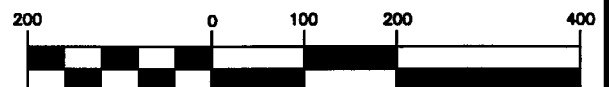
CHECKED BY: ASD

**DRAWING NUMBER**

**Figure 2**



# **GRAPHIC SCALE**



1 inch = 200 ft.



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*Proposed Site Grading  
Individual ARAP  
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243 Signal Mtn. Rd. Suite A  
Chattanooga, TN 37405  
(423) 266-7708*

DATE: 07/25/08

DRAWN BY: BEH/MLJ

JOB NO: 08159

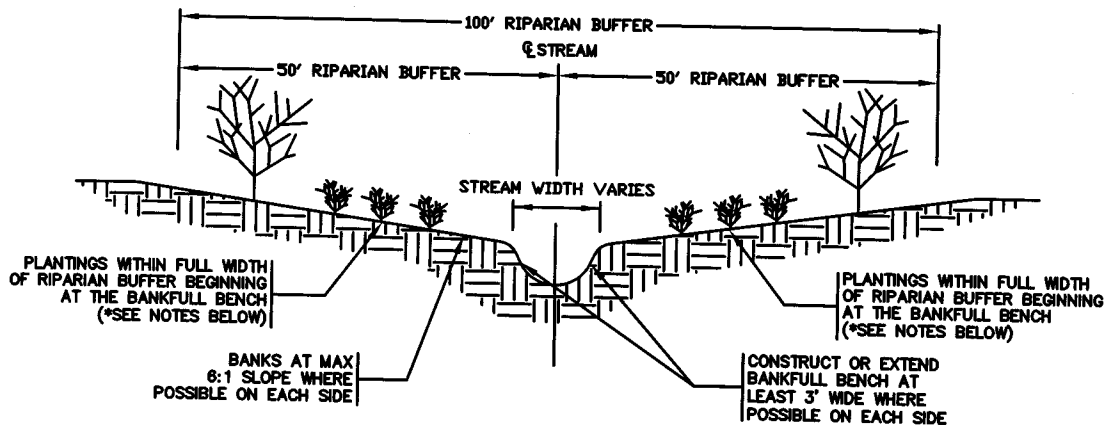
**FILL AREA  
LOCATION  
MAP**

SCALE: 1"=200'

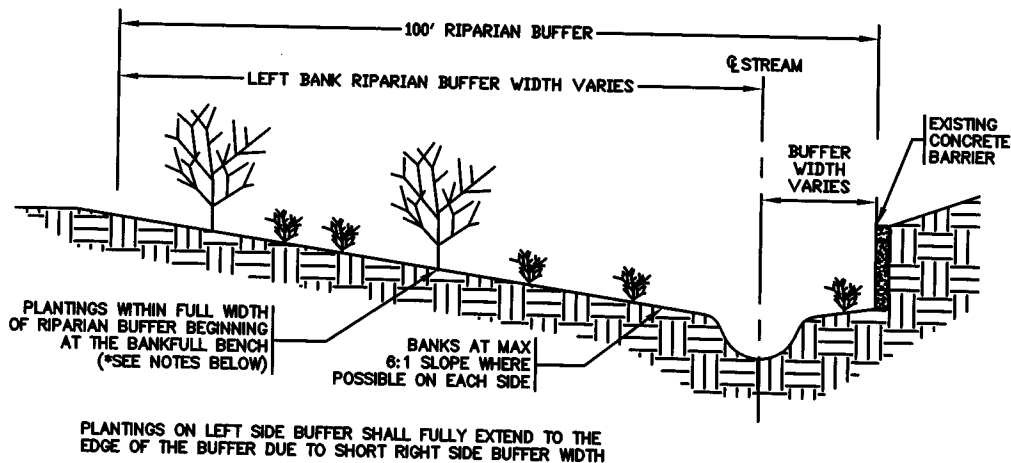
CHECKED BY: ASD

**DRAWING NUMBER**

**Exhibit 1**



**PROPOSED TYPICAL RESTORATION CROSS-SECTION FOR ISBILL BRANCH**  
 not to scale



**PROPOSED TYPICAL RESTORATION CROSS-SECTION IN AREAS WITH CONCRETE BARRIER WALL IN UNNAMED TRIBUTARY OF ISBILL BRANCH**  
 not to scale

**\* NOTES:**

1. PLANTINGS TO BE A MIXTURE OF NATIVE WOODY SPECIES PLANTED IN IRREGULAR ROWS.
2. SHRUBS AND TREES WILL BE SPACED ON 15 FEET CENTERS AND WILL ACHIEVE A DENSITY OF 300 STEMS PER ACRE.
3. ENTIRE AREA WILL BE SEEDED WITH NATIVE HERBACEOUS SPECIES. THE FINAL PLANTINGS WILL BE SELECTED FROM THE LIST OF NATIVE SHRUBS AND TREES THAT IS INCLUDED IN APPENDIX C OF THE ARAP APPLICATION.
4. THE PRECISE SEED MIXTURE WILL BE DEPENDENT UPON LOCAL AVAILABILITY.
5. A MIXTURE OF THREE-GALLON CONTAINER AND SEEDLING TREES AND SHRUBS WILL BE PLANTED.
6. NO ONE SPECIES WILL COMPRISE MORE THAN 25 PERCENT OF THE PLANTINGS.
7. PLANTING WILL BEGIN AT THE BANKFULL POINT IN EACH RESTORED STREAM SEGMENT AND EXTEND TO THE EDGE OF THE BUFFER ON EACH SIDE, WHEN POSSIBLE.
8. DO NOT PLANT TREES OR SHRUBS IN THE EXISTING SANITARY SEWER EASEMENT WHERE IT CROSSES THE UNNAMED TRIBUTARY OF ISBILL BRANCH. ONLY PLANT A MIXTURE OF SEEDS FROM THE REGIONAL NATIVE HERBACEOUS PLANTS LIST.



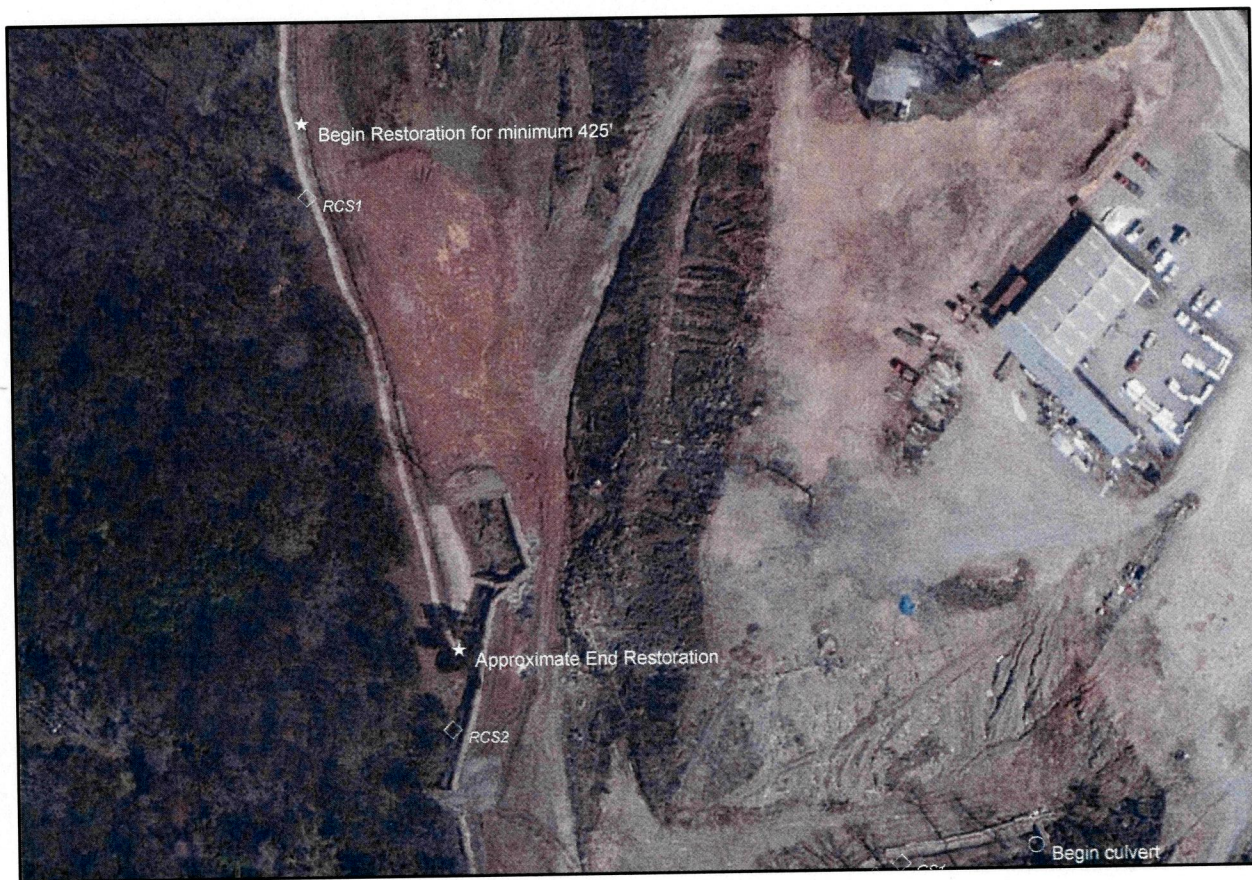
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 (423) 266-7708*

DATE: 06/05/08	SCALE: NONE
DRAWN BY: BEH	CHECKED BY: ASD
JOB NO: 08159	DRAWING NUMBER
<b>TYPICAL RESTORATION CROSS-SECTIONS</b>	<b>Figure 3</b>

## Site Cross-Section Locations Corresponding to Photographs

Austin Fill Site  
3820 Cummings Highway  
Chattanooga, TN 37419



Aerial Photograph 1

## Site Cross-Section Locations Corresponding to Photographs

Austin Fill Site  
3820 Cummings Highway  
Chattanooga, TN 37419



Aerial Photograph 2

## Site Cross-Section Locations Corresponding to Photographs

Austin Fill Site  
3820 Cummings Highway  
Chattanooga, TN 37419



Aerial Photograph 3



**PHOTOGRAPH 5 –VIEW OF CROSS SECTION 3 LOOKING UPSTREAM (CS3)**



**PHOTOGRAPH 6 –VIEW OF CROSS SECTION 3 LOOKING DOWNSTREAM (CS3)**

Stream Conditions  
 Cummings Highway Project  
 Chattanooga, Tennessee  
 QORE Project No. 083868EC



**PHOTOGRAPH 7 –VIEW OF CROSS SECTION 4 LOOKING DOWNSTREAM (CS4)**



**PHOTOGRAPH 8 –VIEW OF CROSS SECTION 4 LOOKING UPSTREAM (CS4)**